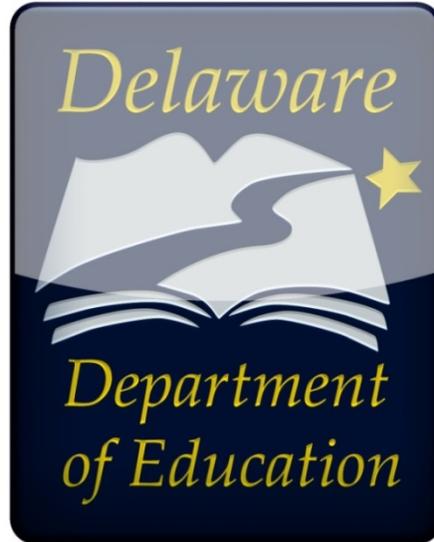


CHARTER SCHOOL ACCOUNTABILITY COMMITTEE

DELAWARE DEPARTMENT OF EDUCATION



Freire Charter School Wilmington

**FORMAL REVIEW
FINAL REPORT**

CSAC Final Meeting: June 3, 2015
CSAC Final Report Published: June 5, 2015

CSAC FINAL RECOMMENDATION: PROBATION WITH CONDITIONS

The following were in attendance at the Final Meeting of the CSAC on June 3, 2015:

Voting Committee Members of the Charter School Accountability Committee

- David Blowman, Chairperson of the Charter School Accountability Committee and Deputy Secretary of Education, DDOE
- Karen Field Rogers, Associate Secretary for Adult Education and School Supports, DDOE
- April McCrae, Education Associate, Science Assessment and STEM, DDOE
- Barbara Mazza, Education Associate, Exceptional Children Resources, DDOE
- Charles Taylor, Community Member and Interim Head of School
- Tasha Cannon, Deputy Officer Talent Recruitment, Selection and Strategy, Teacher and Leader Effectiveness Unit (TLEU), DDOE

Staff to the Committee (Non-voting)

- Catherine Hickey, Deputy Attorney General, DOJ
- Jennifer Nagourney, Executive Director, Charter School Office, DDOE
- Brook Hughes, Education Associate, Financial Reform and Resource Management, DDOE
- John Carwell, Education Associate, Charter School Office, DDOE
- Michelle Whalen, Education Associate, Charter School Office, DDOE

Representatives of Freire Charter School Wilmington

- Kelly Davenport, CEO, Build the Future Education Collaborative
- Paul Ramirez, Head of Academics, Freire Charter School Wilmington
- Felicia Wenell, Head of Academic Supports, Freire Charter School Wilmington
- Tammy Khieu, Head of Administration, Build the Future Education Collaborative, attending and participating by telephone
- Melanie Burke Reiser, Director of Operations, Build the Future Education Collaborative, attending and participating by telephone
- Deborah Seyler, Director of Student Services, Freire Charter School Wilmington, attending and participating by telephone

Discussion

Mr. Blowman stated that the purpose of the meeting was for the CSAC to continue its review of the relevant statutory criteria to determine whether the charter holder is violating the terms of its charter and, if so, whether remedial measures are warranted.

Mr. Blowman noted that the grounds for the formal review are outlined in a letter to the Freire Charter School Wilmington (“Freire”) Board, dated April 23 2015, which include the following potential violations of the law and charter:

- Financial Viability;
- Leadership Capacity; and
- Ability to Implement the Approved Charter with Fidelity.

Mr. Blowman noted that Freire had submitted a set of documents to the Department of Education in advance of the Initial Meeting of the CSAC, which had been added to the record. These documents included a revised budget and organizational chart based on the May 1 enrollment count.

Mr. Blowman noted that an Initial Meeting of the CSAC was held on May 13, 2015 and an Initial Report was issued on May 18, 2015. During the meeting, the CSAC requested the following documents:

- A plan detailing how Freire would meet the needs of its intensive and complex special education students; and
- A plan detailing how Freire would serve all special education students, including the staffing levels, plans for providing special education services, plans for providing differentiated instruction, and also meeting all compliance requirements.

The CSAC confirmed that each of the requested documents had been received in their entirety, along with Freire’s response to the Initial Report.

Financial Viability

Mr. Blowman noted that, as of June 3, Freire’s enrollment stands at 236 students, which is approximately 105% of its approved enrollment of 220 students.

Date	# Enrolled Students	Approved Total	% of Approved Total
April 1	78	224	46%
May 1	160	224	71%

Revised Budget Submitted May 5	160	224	71%
May 13	208	224	93%
June 3	236	224	105%

The CSAC confirmed that there were no ongoing concerns regarding Freire’s financial viability, other than acquiring a Certificate of Occupancy. Ms. Wenell responded that Freire has a Department of Health evaluation scheduled for June 4 and a number of inspections lined up, which will allow Freire to receive its Certificate of Occupancy by June 15. Mr. Blowman noted that it would be helpful to receive and provide the Certificate of Occupancy by the close of the public record on June 12.

Mr. Blowman asked for an update on Freire’s plans for student transportation. Ms. Wenell responded that Freire is currently in the public bidding process to utilize three buses to transport students from across New Castle County. Freire is also providing DART bus passes free of charge to students who choose to use DART as a transportation option.

Ability to Implement the Approved Charter with Fidelity

Ms. Mazza asked for clarification regarding the school’s Response to Intervention (“RtI”) process, stating that she was confused by the school’s statement that students making progress in Tier 3 may be referred for a special education evaluation. Mr. Ramirez responded that it was a typographical error, as students would not be referred for special education evaluations if they are making progress in Tier 3.

Ms. Mazza noted that Freire does not intend to provide a vocational technical program and asked how the school plans to comply with special education transition requirements without such a program. Ms. Davenport stated that Freire will write transition plans as required. Ms. Seyler added that Freire will use outside resources, including internships and training programs. However, the instructional aspect will take place at the school. Ms. Mazza asked about plans for younger students to explore different vocations and Ms. Seyler responded that those opportunities would be provided through Freire’s special education teachers.

Ms. Mazza noted that the Head of Academics will be overseeing special education and RtI. She asked for more information regarding that individual’s special education experience. Mr. Ramirez responded that, as a teacher for four years, he worked directly with students with Individualized Education Programs (“IEPs”). Also, as the head of the English Department at Howard High School, he managed the reading intervention program. Finally, he has experience as the Assistant Head of Academics at the Freire high school in Philadelphia. Ms. Mazza asked whether Mr. Ramirez has experience evaluating instructional strategies. Mr. Ramirez responded that he is currently in charge of contract renewals, evaluations, and observations for all teachers at the high school, including special education teachers.

Ms. Mazza asked who will be responsible for providing professional development to Freire's staff regarding compliance with Delaware Administrative Code. Ms. Seyler responded that the professional development will be provided by a combination of Freire's legal counsel, special education experts at Build the Future Education Collaborative, and the Department of Education.

Mr. Taylor noted the need for continued monitoring of Freire's special education program implementation and compliance.

Later in the meeting, Ms. Mazza inquired about the school's discipline plan for special education students who have behavioral and discipline needs. Ms. Wenell responded that Freire recognizes that those students' needs would be handled by the special education department. Ms. Mazza asked what that process would look like for students, with or without disabilities, who are not responding to the Student Code of Conduct or classroom rules. Ms. Wenell stated that the school uses different types of contracts to help students progressively meet behavioral expectations. In the case of special education students, those contracts will be written in consultation with the special education teacher. In the past, students who failed to meet the first contract were given six weeks or so. If they met the contract, they would go off contract, but if they didn't, then another more specific contract would be set, which may include additional supports. Ms. Mazza asked whether Ms. Wenell has experience with Functional Behavioral Assessments ("FBAs"). Ms. Wenell responded that she has worked with FBAs as a teacher, but does not have a lot of experience with FBAs as an administrator. She acknowledged the need for special education support in that area. Ms. Mazza added that the School Psychologist is also important in that regard.

Leadership Capacity

Mr. Taylor inquired about Freire's leadership model. Mr. Ramirez responded that Freire has a co-leadership model, as it does in its Philadelphia high school. Mr. Ramirez will serve as the head of academics and will be in charge of all matters dealing with teaching and learning. Ms. Wenell will serve as the head of academic supports, including the operations of the building, lunch, buses, discipline, and school culture.

Mr. Taylor inquired as to whether there will be a School Nurse and Ms. Wenell confirmed that there will be.

Mr. Blowman asked if both Ms. Wenell and Mr. Ramirez report directly to the Board and they responded that they do. Mr. Taylor asked whether the Board is active and Mr. Ramirez responded that it is. Mr. Taylor asked whether the Board is local and Ms. Davenport responded that the Board is 100% local. Mr. Taylor asked whether the Board members have children in the school or other connections. Ms. Davenport noted each of the Board members' areas of residence, including where their children attend school, and noted that Freire is in the process of selecting a parent member. She indicated that one parent has already expressed interest, but that Freire will invite other parents to apply at the June 8 parent meeting. She noted that

Freire will have two parent representatives. Mr. Taylor asked how many Freire Board members are on Freire's Board. Ms. Davenport stated that there are currently six Board members.

Mr. Taylor asked whether Freire's Board members have participated in training. Ms. Davenport responded that the Board has attended the mandatory special education training, but no others. She confirmed that the Board has not received Citizens Budget Oversight Committee or governance training. Ms. Nagourney confirmed that the Charter School Office will be offering a series of board trainings throughout the summer and fall. Mr. Taylor noted the importance of state-specific training and recommended that Freire Board members and leadership attend training offered by the Delaware Alliance for Nonprofit Advancement ("DANA").

Conclusion

Mr. Blowman noted that Freire was not in compliance with the April 1 enrollment requirement but has since achieved more than full enrollment and is now in compliance. Due to the current student enrollment, he was not aware of any specific financial viability concerns moving forward. He noted that, while questions may have been answered regarding special education, he believed that ongoing special education monitoring for a period of time is warranted. Ms. Mazza noted that she wished to see a plan, based upon the September 30 enrollment count, outlining how Freire will provide special education services to its students. Mr. Blowman noted that additional monitoring of Freire's transportation is warranted, given that some of Freire's students will be using a transportation approach that is new to Delaware. Finally, a Certificate of Occupancy is due by June 15, 2015, but preferably by the close of the public comment period on June 12.

The CSAC voted to recommend that Freire be placed on probation through December 31, 2015, subject to the following conditions:

1. Submit a report by October 31, 2015 based upon the September 30 enrollment count outlining the number of basic, intensive, and complex students by grade and what Freire is doing to implement all of the services outlined in the IEPs of those individual students;
2. Submit an update on transportation by October 31, 2015;
3. Submit a Certificate of Occupancy by June 15, 2015; and
4. Board members must participate in training offered by the Delaware Alliance for Nonprofit Advancement by October 1, 2015.

Ms. Mazza abstained from the vote because she did not attend the Initial Meeting.

Next Steps:

- A second and final public hearing will be held on June 9, 2015, beginning at 5:00 p.m, in the 2nd Floor Auditorium of the Carvel State Office Building located at 820 N. French St. in Wilmington, DE.
- The public comment period is open, and will close on June 12, 2015.
- The Secretary will announce his decision at the June 18, 2015 State Board of Education meeting, beginning at 1:00 p.m., in the 2nd Floor Cabinet Room of the Townsend Building located at 401 Federal Street in Dover, DE.